

REMARKS

Remark 1:

Applicant submits that the cited prior art fails to teach a stand-off system for providing fixed, vertical orientation of artwork or other objects parallel to a vertical surface, the system comprising: a *channel-shaped* bracket having a portion for coupling the bracket to the vertical surface and a vertical mounting plate portion, the mounting plate having a shaped opening positioned along an upper edge surface of the mounting plate portion *such that the vertical mounting plate portion and the portion for coupling the bracket to the vertical surface forms an essentially rectangular channel portion*; and a stem portion having a mounting surface for rigidly mounting the stem portion onto the artwork, the stem portion further comprising a body portion and flat head portion separated by a shaped neck portion, the head and neck portions defining a flange shaped to precisely register *the shaped neck portion* with the shaped opening *of the upper edge surface of the mounting plate* and thereby maintain a predetermined orientation of the artwork or other objects. *(Emphasis added)*

Remark 2:

Applicant submits that the cited prior art reference clearly fails to teach a stand-off system for hanging art or similar objects from vertical surfaces in which the shaped neck portion of the extending stem stand-off portion registers or mates matchingly with the vertical mounting plate portion of the mounting bracket portion. In Schaefer, the relatively narrow stem portion has a notched (shaped) external ring portion on the head of the cap whereby the external, outermost surface of the flange is notched. In Schaefer, the length of the stem portion is limited, and called a "forward portion 21", which is separated completely from the rest of the hangar portion 20.

Remark 3:

The following is a list of structural and functional distinctions between the present invention and

the cited prior art:

- The head **122** of the stem portion **126** of the present invention is shaped closely to the shoulder portion of the stem stand-off.
- The head of the stem is formed integrally with the stem, having a unitary construction, rather than comprising a separate piece (forward portion **21**) which requires assembly with the bracket portion.
- The neck **124** of the stem **126** present invention registers directly with the bracket.
- In the prior art, the outermost rim of the flange is notched.
- The notched rim of the flange registers with an internal, mating surface not required in the present invention.
- The vertical plate and the mounting surface portions are parallel to each other and form a rectangular channel.

Remark 4:

Applicant submits that Schaefer fails to teach the present invention. The mechanisms of the cited prior art are very complex and not flexible to dislodge once they are in place. Further shortcomings of the Schaefer reference include but are not limited to the following:

- Locking Hanging Device-designed to lock in using gears
- Designed to be firmly affixed to the wall using three screws
- No room for adjustment in both the bracket and the gear
- Allows for no rotational movement (as seen in the hanging uneven distribution of weight or using rotational movement for minor adjustments.)
- Strategically place and one cannot use more than one easily, thus there is no room for any adjustment
- Recommends that it should be attached to a frame

- No functionality in the stem

The present invention is significantly different from the prior art for reasons including but not limited to the following:

- Flexibility- using multiple standoffs on one piece. The ability to attach to a frame or directly to another media such as glass, clay, metal, and/or textiles, thus giving the piece a sense of framlessness.

- Adjustability: the oval hole in the bracket allows for minor adjustments. One may also adjust the bracket by slightly turning it to make up for a minor adjustment. Also using figure 4B (fish) if one wanted to present that in a slight upward position they could achieve that by slightly tilting the bracket.

The standoffs of the present invention provide hanging of multiple and uneven distribution of weight elements, this is taking artwork where the plane of the piece is too large that it cannot be parallel to the wall. This frameless media then uses 2 or more standoffs., i.e., one at the top and the other at the bottom. The piece of artwork is easily adjustable and removable from the wall.

The method and apparatus of the present invention also provide pop-in-pop-out operation, which method-allows someone to easily take pieces off the wall. Further advantages of the present invention are readily apparent:

- expanded functionality and adjustability is in the STEM of our hanging system
- the present invention provides a simple solution for hanging anything
- Most hanging devices of the prior art require a frame of some sort.

Remark 5:

The present invention is highly novel to the art industry because it eliminates the need for a frame, thus allowing objects of different mediums such as glass, clay, metal and textile to have an

unobtrusive hanging system. No more chains on a hook or a gripping plate holder that clips to the outer edges of a piece. It also works with all standard ways of hanging pictures with frames

The hanging system comprises of various geometrically shaped necks of the stand-offs and a universal bracket for all stand-offs. The key to the present invention is the range of possibilities that the neck of the stand-offs are capable of by interchanging them with the opening of the bracket.

FIG. 3D –last sentence of margin 10 “locking position.” There is no locking position for both figures 3D and 3E but they are rotational. If centered on a circle there is no need for locking. If using more than one then the other is an anchor to prevent rotation, thus, still offering an easy way to remove from the brackets. Due to the depth of the channel one cannot easily knock a piece out of the bracket by slamming a door, etc.

///

REQUEST FOR CONSTRUCTIVE ASSISTANCE

Applicant and the undersigned have made a diligent effort to amend the claims of this application so that they define novel structure and methods. If, for any reason the claims of this application are not believed to be in full condition for allowance, Applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 706.03(d) in order that this application can be placed in allowable condition as soon as possible and without the need for further proceedings.

If the Examiner believes that a telephone interview will help further the prosecution of the case, Applicant respectfully requests the undersigned attorney be contacted at the listed telephone number.

///

CONCLUSION

Applicant respectfully submits that for all the foregoing reasons, the claimed subject matter describes patentable invention. Furthermore, Applicant submits that the specification is adequate and that the claims are now in a condition for allowance. No new matter has been entered.

Applicant hereby respectfully requests Examiner to withdraw the cited references as anticipating or obviating prior art, enter these amendments, find them descriptive of useful, novel and non-obvious subject matter, and authorize the issuance of a utility patent for the truly meritorious, deserving invention disclosed and claimed herein.

Without further, Applicant does not intend to waive any claims, arguments or defenses that they may have in response to any official or informal communication, paper, office action, or otherwise, and they expressly reserve the right to assert any traverse, additional grounds establishing specificity and clarity, enablement, novelty, uniqueness, non-obviousness, or other patentability, etc.

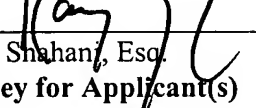
Further, nothing herein shall be construed as establishing the basis for any prosecution history or file wrapper estoppel, or similar in order to limit or bar any claim of infringement of the invention, either directly or under the Doctrine of Equivalents.

///

Respectfully submitted,

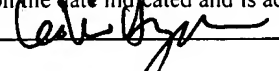
RAY K. SHAHANI
ATTORNEY AT LAW

Dated: October 29, 2004

By: 
Ray K. Shahani, Esq.
Attorney for Applicant(s)

Ray K. Shahani, Esq. Registration No.: 37,554
Attorney at Law
Twin Oaks Office Plaza
477 Ninth Avenue, Suite 112
San Mateo, California 94402-1854
Telephone: (650) 348-1444 Facsimile: (650) 348-8655
E-mail: rks@attycubed.com

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents attached hereto are being deposited in a postage prepaid, sealed envelope with the United States Postal Service using First Class Mail service under 37 CFR 1.08 on the date indicated and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450". Signed: 
Date Mailed: October 29, 2004.